SUIATTLE ACCESS AND TRAVEL MANAGEMENT (ATM) PLAN
DECISION NOTICE and FINDING OF NO SIGNIFICANT IMPACT

USDA FOREST SERVICE

MT. BAKER-SNOQUALMIE NATIONAL FOREST

DARRINGTON RANGER DISTRICT

SNOHOMISH COUNTY, WASHINGTON

DECISION

After reviewing the December 2010 *Suiattle Access and Travel Management Plan Environmental Assessment* (EA), terrestrial, aquatic, and plant Biological Assessments and Evaluations (BAs and BEs), Specialist Reports, applicable direction in the *Mt. Baker-Snoqualmie National Forest Land and Resource Management Plan*, as amended (Forest Plan), other information available in the Project Record, and public comments regarding the proposal, it my decision is to implement Alternative B, With Modifications. This alternative, hereafter called the Selected Alternative, will be the same as Alternative B – Proposed Action, except that it will initially treat Road 2703 from Milepost 1.7 to 6.8 to minimize impacts to aquatic resources, and retain in maintenance level 1. If funding becomes available, the Forest Service will upgrade and re-open the road as maintenance level 2. If not, the Forest Service will decommission the road.

Specifically, the Selected Alternative gives the Sauk–Suiattle Tribe and other entities the opportunity to develop a funding source for road repair and upgrade to meet Forest Plan standards and guidelines. If such funding becomes available, then repair and upgrade will occur, and the road will be re-opened to public motorized use. On the other hand, if within five years such funding for road repair and upgrade **does not** become available, then the Forest Service will decommission Road 2703. In that case, the decommissioned road corridor would remain open for public non-motorized uses but would not receive further maintenance.

If unforeseen circumstances or changed conditions occur over the closure period, then the Forest Service will consider the degree of environmental effects resulting from these changes in determining whether to modify this decision or to continue implementing it (FSH 1909.15, sec. 18.1). This may or may not involve a new environmental analysis, and/or a new decision notice. Scoping, public involvement, and Tribal consultation would be part of any new environmental analysis.

This alternative will also add the Bachelor Creek Trail to the designated trail system. A site-specific analysis in compliance with NEPA and other relevant laws will be completed prior to any ground disturbing maintenance or upgrade of the trail.

The EA is incorporated by reference herein.

The majority of the Selected Alternative is described in Chapter 2 of the EA on p. 25, with some elements described on p. 30 in case Road 2703 ultimately remains open. All Mitigation Measures and Project Design Features in Appendix B are integral parts of the Selected Alternative.

After this decision, Road 2703 from Milepost 1.7 to 6.8 will be closed and will receive treatment to minimize impacts to aquatic resources. This section of road will remain closed until there is a final determination on whether it will be re-opened and upgraded or decommissioned. Appendix E provides additional analysis of impacts to resources from road treatments during this period of closure.

Ultimately Road 2703, from Milepost 1.7 to 6.8 will be re-opened and upgraded or decommissioned.

If Road 2703 is decommissioned after this decision, then this decision has the same primary elements as Alternative B - Proposed Action:

- Decommission approximately 51 miles of National Forest System road no longer needed for forest management.
- Close approximately 23 miles of National Forest System road to public access.
- Retain approximately 26 miles of road open in Maintenance Level 2.
- Retain approximately 30 miles of road open in Maintenance Level 3.
- Retain approximately 10 miles of road open in Maintenance Level 4.

Road Decommissioning and Closure: A total of 74 miles of road under the Selected Alternative would be decommissioned or closed. This alternative will initially stabilize and close 5.1 miles of Road 2703. If funding becomes available within five years, the Forest Service will upgrade and re-open Road 2703. If not, the road will be decommissioned.

Culvert Upgrades: Stream-crossing structures on open roads would be upgraded to meet Washington State standards. Culverts needing upgrades would be sized for 100-year flows plus sediment and debris and to provide fish passage as needed.

Beyond general maintenance activities, some ground-disturbing work will be needed to ensure roads are stabilized and the impacts to riparian and aquatic resources from roads are minimized. These actions are referred to as "treatments," and specific treatments have been defined for each segment of road. Table 4 in the EA displayed the list of roads in the proposed action, the current maintenance level of road segments, and the proposed maintenance level of road segments under Alternative B – Proposed Action (pp. 27-28). Maintenance level 0 represents decommissioning the road segment. Table 1 is included here to display details of the Selected Alternative only. The

ground disturbing work column for Roads 2511 and 2512 were incorrectly presented in Table 4 of the EA. Table 1 reflects the correct ground disturbing work (treatments) for those roads. Specialists analyzed the EA with the correct information; therefore no additional analysis or corrections are needed in response to this correction.

If Road 2703 is upgraded and opened after this decision, then this decision has the same primary elements as Alternative B - Option 1:

- Decommission approximately 46 miles of National Forest System road no longer needed for forest management.
- Close approximately 23 miles of National Forest System road to public access.
- Retain approximately 26 miles of road open in Maintenance Level 2.
- Retain approximately 30 miles of road open in Maintenance Level 3.
- Retain approximately 10 miles of road open in Maintenance Level 4.

Road Decommissioning and Closure: A total of 69 miles of road under the Selected Alternative would be decommissioned or closed.

Culvert Upgrades: Same as Alternative B - Proposed Action.

Table 1. Proposed Maintenance Levels and Upgrades under the Selected Alternative

Road Number	Mile Post Start	Mile Post End	Length (mi)	Selected Alternative (Objective Maintenance Level)	Ground Disturbing Work
2500000 [1]	0	3.23	3.23	3	Y – Upgrade
2500000	3.23	5.97	2.74	2	Y – Upgrade
2500000	5.97	13	7.03	0	N
2500016	0	0.5	0.5	0	Y – Berm at MP 0.5
2500017	0	1	1	2	N – Closed w/ Gate
2500019	0	0.33	0.33	1	N
2500019	0.33	0.6	0.27	0	N
2500800	0	0.4	0.4	0	N
2509000	0	0.1	0.1	1	N
2509000	0.1	0.4	0.3	0	N
2510000	0	2.9	2.9	2	Y – Upgrade
2510000	2.9	6.2	3.3	1	Y – Storage
2510000	6.2	10.5	4.3	0	Y – Obliterate
2510012	0	2	2	0	Y – Obliterate
2510014	0	0.1	0.1	0	N
2511000	0	1.2	1.2	1	Y – Storage
2511000	1.2	1.9	0.7	1	Y – Storage
2511000	1.9	2.6	0.7	1	Y – Storage

2511000	2.6	3.07	0.47	1	Y – Storage
2512000	0	1.9	1.9	1	Y – Storage
2512012	0	0.35	0.35	0	Y – Obliterate
2515000	0	0.9	0.9	1	Y – Storage
2520000	0	0.1	0.1	0	N
2520000	0.1	3.7	3.6	0	Y – Obliterate
2530000	0	1.5	1.5	0	Y – Obliterate
2540000	0	1.1	1.1	0	Y – Obliterate
2540000	1.1	5	3.9	0	N
2540012	0	1	1	0	N
2550000	0	2.5	2.5	0	N
2600000	0	9.8	9.8	4	Y – Upgrade
2600000	9.8	10.2	0.4	4	Y – Upgrade
2600000	10.2	23.2	13	3	Y – Upgrade
2600014	0	0.8	0.8	3	N
2600016	0	0.13	0.13	2	N
2600017	0	1	1	0	Y – Obliterate
2600021	0	0.1	0.1	3	N
2600025	0	0.5	0.5	3	N
2600027	0	0.2	0.2	3	N
2640000	0	3.7	3.7	2	Y – Upgrade
2640000	3.7	4.8	1.1	2	Y – Upgrade
2640000	4.8	6.8	2	1	Y – Storage
2640000	6.8	10.2	3.4	0	N
2641000	0	1.3	1.3	1	Y – Storage
2642000	0	5.35	5.35	2	Y – Upgrade
2642016	0	0.5	0.5	0	N
2642025	0	0.9	0.9	1	N
2642030	0	0.8	0.8	1	N
2642070	0	1.02	1.02	0	Y – Storage
2642080	0	0.2	0.2	0	Y – Storage
2643000	0	3	3	0	Y – Obliterate
2643014	0	0.4	0.4	0	N
2650000	0	3	3	1	N
2660000	0	7.2	7.2	2	N
2660000	7.2	11.8	4.6	0	N
2660012	0	0.3	0.3	1	Y – Storage
2660014	0	0.5	0.5	0	Rd. → Trail conversion
2660015	0	0.2	0.2	0	N
2661000	0	4.22	4.22	1	N
2661014	0	0.1	0.1	1	N
2680000	0	5.73	5.73	3	Y – Upgrade
2700000	3.9	10.1	6.2	3	Y – Upgrade
2700005	0	1	1	0	Y – Obliterate

2700016	0	0.42	0.42	1	N
2703000	0	1.7	1.7	2	Y – Upgrade
2703000	1.7	6.8	5.1	2 or 0	Y – Obliterate or Upgrade
2703100	0	1.5	1.5	0	Y – Obliterate

[1] Upgrade of Road 2500000 includes large pipe removal and culvert replacement to provide fish passage.

Other Alternatives Considered

One other alternative was carried into detailed analysis in the EA: Alternative A – No Action. Under Alternative A, approximately 74 miles of road in the project area would not be decommissioned or closed. As funding permits, these roads would continue to receive routine maintenance at current operational levels. Stream-crossing structures on roads in the project area would not be upgraded at this time; therefore, culverts would be replaced as funding becomes available. Culverts requiring upgrades would continue to not meet Washington State standards, thereby remaining unable to pass 100-year flows and/or blocking fish passage.

As discussed below, no other significant issues were identified that led to the development of other alternatives.

Rationale for the Decision

I chose Alternative B, With Modifications, as the Selected Alternative because it best meets the stated purpose and need, as outlined in Table 2, and addresses concern expressed by the Sauk-Suiattle Tribe for access needs on Road 2703.

Table 2. Effectiveness of No-Action and Action Alternatives in Addressing Purpose and Need

Purpose and Need Element	Alternative A – No Action	Alternative B – Proposed Action	Alternative B - Option 1	Selected Alternative
There is a need for minimization of road impacts to riparian areas and aquatic conditions.	36.8 miles of road at high risk to aquatics remaining	0 miles of road at high risk of sediment delivery to streams remaining	1.2 miles of road at high risk of sediment delivery to streams remaining	0 miles of road at high risk if Road 2703 is decommissioned or 1.2 miles if Road 2703 remains open.
For roads not needed as part of the transportation system, there is a need for road decommissioning.	0 miles of road decommissioned and removed from road system	51 miles of road decommissioned and removed from road system	44.9 miles of road decommissioned and removed from road system	51 miles of road decommissioned if Road 2703 is decommissioned or 44.9 miles if Road 2703 remains open.

For roads needed as part of the transportation system, there is a need for stabilized and/or upgraded roads and stream crossings.	0 miles of road upgraded	56 miles of road upgraded	61 miles of road upgraded	56 miles of road upgraded if Road 2703 is decommissioned or 61 miles if Road 2703 remains open.
There is a need for a road system that can be maintained to desired standards with expected road maintenance funds and meet public safety.	$82,388 of annual cost to maintain 86 miles of road in the Suiattle drainage to standard based on 2010 costs	$63,228 of annual cost to maintain 66 miles of road in the Suiattle drainage to standard based on 2010 costs	$68,108 of annual cost to maintain 71 miles of road in the Suiattle drainage to standard based on 2010 costs	$63,228 of annual cost to maintain roads in Suiattle drainage if Road 2703 is decommissioned or $68,108 if Road 2703 remains open

With the first modification, I considered the request from the Sauk-Suiattle Tribal Council that Road 2703 be left open for access so Tribal members can maintain their cultural practices. Decommissioning of Road 2703 would make it difficult for Tribal elders to continue to gather traditional plants and enjoy other cultural uses in this area. This area has been identified as one of the few areas where sufficient Alaska yellow cedar can be found. Public recreational interests have also requested that Road 2703 be left open to access the Circle Lake area.

Given the history of the road, its current condition, and its future risks, although the road has survived the flood events of 2003 and 2006 and others and is currently drivable, there still remain some needs to provide for public safety and to reduce the risks to aquatic resources.

Road maintenance will be prioritized based on budget in order to deal with public safety and aquatics issues for all roads.

A second modification adds the Bachelor Creek Trail to the designated trail system. I agreed with comments received during the review of the EA that the Forest Service should "*consider adding the Bachelor Creek Trail to the Mt. Baker-Snoqualmie National Forest Trail System as a Class 1 Wilderness trail. The Bachelor Creek Trail is a critical link from the Downey Creek Trail and the Suiattle River Road to the Ptarmigan Traverse, a nationally-recognized crown jewel of the North Cascades.*" As stated, a site-specific analysis in compliance with NEPA and other relevant laws will be completed prior to any significant ground disturbing maintenance of the trail. My decision also responds to the loss of trail access on the west side of the Glacier Peak Wilderness over the last decade. Floods, fire, and the need to reduce the road system has, or will have, the effect of eliminating trail access for wilderness visitors on the White Chuck, Mill Creek, Marta Lake, Jordan Lake, Falls Lake, Slide Lake, Middle Cascade and the South Fork Cascade Trails. Putting Bachelor Creek on the system will help minimize resource impacts from visitors and end on-going illegal maintenance practices on the trail.

The purpose and need for this ATM evolved primarily from Forest Plan direction (EA p. 4) and years of insufficient funding to meet that direction with the existing road system. The interdisciplinary team examined alternatives to minimize road impacts to riparian areas and

aquatic conditions and reduce the size of the Forest Service road system toward a level that can be better maintained over time with expected levels of road maintenance funding (EA pp. 22-29).

Minimize Road Impacts to Riparian Areas and Aquatic Conditions

Since Alternative B – Proposed Action would result in no roads identified as high-risk to aquatic systems (EA p. 32), it best met this need. Alternative B – Option 1 also reduced roads rated as high-risk to aquatic systems, but still retained 1.2 miles of road identified as high risk to aquatic resources. Alternative A did not sufficiently address this decision factor to warrant further consideration. The Selected Alternative will retain 1.2 miles of road rated as high-risk to aquatic resources for period of time, at which point depending on funding, it would be upgraded and retained or else decommissioned.

A Road System That Can Be Maintained to Desired Standards With Expected Budgets

Using the average of $958 per mile, Alternative B – Proposed Action would make the biggest reduction in funding needs for annual road maintenance (EA p. 32) by decommissioning 51 miles of road, while Alternative B - Option 1 would decommission only 44.9 miles of road. Alternative A did not sufficiently address this decision factor to warrant further consideration. Because Alternatives B – Proposed Action, and Alternative B - Option 1, would reduce annual maintenance funding needs by 28% and 21%, respectively, they sufficiently met my most important factor in arriving at a decision.

In addition, costs to reopen roads and upgrade them to standards were also considered. To better differentiate between the Alternative B – Proposed Action and Option 1, a more detailed cost analysis of costs to reopen or decommission Road 2703 and Road 2703-100 was developed based on actual road surveys information.

Table 3. Summary of Costs

Activity	Road Length	Cost per Mile	Total Cost
Decommission Road 2703	5.1 miles	$39,772 per mile	$202,500
Decommission Road 2703-100	1.5 miles	$39,772 per mile	$61,500
Upgrade (Deferred Maint.) 2703 – ML 2	5.1 miles	$60,823 per mile	$310,200

* All estimates are subject to more detailed analysis and field data inspection. All costs shown are subject to inflation, future changes in cost of petroleum products, and other unknowns.

As described below, the total costs by alternative include the average cost per mile to reopen and upgrade roads or decommission, except for Road 2703 and 2703-100, which are added on separately. Table 4 displays total cost of decommissioning and deferred maintenance by alternative.

Table 4. Cost of Decommissioning and Deferred Maintenance by Alternative

Alternative	Decommission	Deferred Maintenance & Upgrades	Total Cost
Alternative A - No Action			
Road 2703/2703-100	$0	$310,200	$10,876,174
All other Roads	$0	$10,565,974	
Alternative B - Proposed Action			
Road 2703/2703-100	$263,000	$0	$9,122,501
All other Roads	$662,637	$8,196,944	
Alternative B - Option 1			
Road 2703	$0	$310,200	$9,224,769
All other Roads	$716,803	$8,197,766	

As with cost of annual road maintenance, Alternative B – Proposed Action would make the biggest reduction in funding needs, while Alternative B – Option 1 would make a smaller reduction. Alternative A did not sufficiently address this decision factor to warrant further consideration. The Selected Alternative would have potential range of costs between Alternative B - Proposed Action and Alternative B - Option 1, depending on the final outcome of Road 2703.

In making my decision, I also considered: responsiveness of the alternatives to the significant issue (see below); other applicable laws, regulations, and policies (Appendix B); Tribal treaty rights; public input; and the effects of the alternatives on the physical, biological, social, and economic environment (EA pp. 33-111). I believe that Alternative B, With Modifications, provides the best balance between available budgets, resource protections, and enhancement and access needs.

Decommissioning Circle Creek Road Would Reduce Access to Dispersed Recreation Opportunities

In addressing the identified significant issue, Alternative A retained the most opportunity for access to dispersed recreation opportunities by maintaining 85 miles of open road. Alternative B – Proposed Action, and Alternative B – Option 1, reduced access to dispersed recreation opportunity by maintaining 66 miles and 71 miles of open road, respectively. Alternative A and Alternative B – Option 1 did not increase the miles it took to reach the Circle Peak area, a popular destination in the watershed, while Alternative B – Proposed Action increased the mileage by 5.1 miles.

I considered comments received that supported decommissioning Road 2703 as well as comments that supported maintaining it. Many comments expressed the desire to maintain this road for opportunity to access high elevation areas for hiking, cultural and spiritual practice, and gathering of yellow cedar, huckleberries, and other traditional plants. The EA made a point of considering access to high elevation areas as part of alternative development (EA Appendix E).

All alternatives maintained access to high elevation sites to the Grade Creek, Tenas Creek, Green Mountain, and Rat Trap Pass areas. Only Alternative B – Proposed Action proposed this road to the Circle Creek area for decommissioning.

As previously discussed, by decommissioning Road 2703, Alternative B – Proposed Action best met the purpose and need described in the EA. However, the EA assumed that Alternative B would decommission the road. As discussed under the "Decision" section, this Decision opts to stabilize and keep the road closed for five years to allow for new funding opportunities for repairing and upgrading the road. If decommissioning occurs (no new funding opportunities), the Selected Alternative will, like Alternative B, best meet the purpose and need. If decommissioning the road does not occur and the road is repaired and upgraded, the Selected Alternative will meet the purpose and need to a lesser extent than Alternative B, but would address comments received on this issue.

Implementation of the Selected Alternative is consistent with the Forest Plan, as amended, the National Forest Management Act, and other pertinent laws and regulations. No significant impacts on the environment were identified in the EA or in supplemental analysis (Appendix E).

Mitigation and Monitoring

Mitigation measures and design features are developed to avoid, reduce, eliminate, rectify, or compensate for the undesirable effects of proposed activities. Implementation of the mitigation measures and design features identified in the EA is a condition of my approval of the Selected Alternative. Several new programmatic permits have been developed in the past year that require supplemental mitigation measures and design features to be included as part of this decision. Appendix B lists all project mitigation measures and design features, states their objectives, rates their effectiveness, identifies which Forest Plan standards and guidelines they address, and identifies the person responsible for their enforcement.

Forest Plan Consistency

I have reviewed the EA, including the environmental effects and Forest Plan consistency sections, for each affected resource (EA Chapter 3), as well as the supplemental analysis included in Appendix E. I find the Selected Alternative to be consistent with the goals, objectives, and Standards and Guidelines of the Forest Plan, as amended. The action will not alter the multiple-use goals and objectives for long-term land and resource management. Appendix C contains the Forest Plan consistency analysis for each resource area affected by the Selected Alternative.

Issues Addressed

I reviewed the concerns identified by scoping respondents and input from the interdisciplinary (ID) team assigned to the project, and I determined whether there were significant issues to be

addressed based on the following criteria (Council on Environmental Quality [CEQ] regulations at 40 CFR 1501.7). Non-significant issues are identified as those:

1. Outside the scope of the Proposed Action;
2. Already decided by law, regulation, Forest Plan, or other higher level decisions;
3. Irrelevant to the decision to be made; or
4. Conjectural and not supported by scientific or factual evidence.

Significant issues are used to develop alternatives, identify mitigation measures, or track environmental effects. Issues may be "significant" due to the extent of their geographic distribution, the duration of their effects, or the intensity of public interest or resource conflict. Based on this review, one significant issue was identified for this project.

Issue #1 - Decommissioning Circle Creek Road would reduce access to dispersed recreation opportunities.

This area currently provides a wide variety of road-accessible recreation experiences. Proposed road treatments would change access to some of the dispersed recreation activities, and could change established recreation and Tribal use patterns in the Suiattle Watershed.

Units of measure:

- **Total miles of open road** available for dispersed recreation access
- **Increased miles** to access Circle Peak

PUBLIC INVOLVEMENT

On March 14, 2008, the Mt. Baker-Snoqualmie National Forest (MBS) mailed public scoping letters to interested citizens, groups, industry, and agencies on the Darrington Ranger District mailing list. Potentially affected Native American Tribal groups received individual notification on March 13, 2008. The March 20, 2008 Quarterly Schedule of Proposed Actions included the proposal. The Forest Service also held an open house public meeting at the Darrington Ranger Station on April 8, 2008 as part of the public involvement process. The Forest received 33 comment letters as a result of the 2008 scoping effort.

The proposal for this project was also included in the Darrington District 2010 scoping letter of Miscellaneous Projects on March 28, 2010. The Forest received two additional comment letters referencing the Suiattle ATM proposal from the 2010 scoping letter. A scoping report was prepared to document, summarize, and respond to scoping comments. It is included in the EA as Appendix A.

Copies of the EA were mailed to those who participated in the scoping process or specifically requested a copy of the EA, including individuals, organizations, other agencies, and Tribal councils. An electronic copy of the EA was also made available on the Forest website. A December 30, 2010 legal notice was published in the Everett *Herald* newspaper, initiating the

30-day pre-decisional comment period. This legal notice replaced an earlier notice dated December 21, 2010.

Comments were received from 80 individuals, groups, or Tribes during the 30-day comment period. Three Tribal comment letters were received after the end of the comment period. A report summarizing the comment process, the comments received, and the agency's response to substantive comments is included in Appendix D.

Tribal Consultation

The Forest Plan, p. 4-97, directs that the MBS "present information about planned projects in all management areas (i.e. protected and otherwise) to religious and political leaders of Tribal groups whose traditional practices might be affected." Through government-to-government consultation during the scoping period and issuance of the pre-decisional EA (see Public Involvement, above), the Forest Service has provided the opportunity for involvement in the NEPA process to the Tulalip Tribes, the Upper Skagit Tribal Council, the Swinomish Tribal Community, the Stillaguamish Board of Directors, the Sauk-Suiattle Tribal Council, the Samish Tribe, and the Lummi Indian Business Council.

Scoping comments were received from: the Tulalip Tribes, the Upper Skagit Tribal Council, the Swinomish Tribal Community, and the Sauk-Suiattle Tribal Council.

Finding of No Significant Impact (FONSI)

I have evaluated the effects of the project relative to the definition of significance established by the CEQ Regulations in 40 CFR 1508.27. I have reviewed and considered the EA and documentation included in the Project Record, and I have determined that the Selected Alternative will not have a significant effect on the human environment. As a result, no environmental impact statement will be prepared. My rationale for this finding is as follows, organized by sub-section of the CEQ definition of significance cited above.

1. *Impacts that may be both beneficial and adverse. A significant effect may exist even if the federal agency believes that on balance the effect will be beneficial [40 CFR 1508.27(b) (1)].*

In terms of beneficial effects, the Selected Alternative most effectively addresses the stated purpose and need for the project (see Rationale for Decision and Table 2) and will achieve the anticipated benefits. I assessed the anticipated adverse environmental effects of the Selected Alternative, as detailed in the EA Chapter 3, in terms of context and intensity, and I found them to be localized, minor, and in most cases temporary.

2. *The degree to which the proposed action affects public health or safety [40 CFR 1508.27(b) (2)].*

My decision will not adversely affect public health or safety. Roads remaining open to public access will be restored and/or upgraded, which should benefit the safety of those who use them. Other roads will be treated to reduce the risk of failures and associated sedimentation into streams.

3. *Unique characteristics of the geographic area such as the proximity to historical or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas [40 CFR 1508.27(b) (3)].*

My decision will not adversely affect unique characteristics associated with the geographic area such as historical or cultural resources, parklands, wetlands, wild and scenic rivers, or ecologically critical areas. As described in paragraph (8), below, an appropriate cultural resource inventory was conducted for this undertaking. Several cultural resources were located, which have either been determined not-eligible for the National Register of Historic Places (NRHP) or will be avoided during implementation (Heritage Resources Project Review Form, 8/15/11). Effects on the Skagit Wild and Scenic River will be immeasurable, and public access to the Suiattle River will continue to provide undeveloped river access to boaters (EA pp. 96-97).

4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial [40 CFR 1508.27(b) (4)].*

The effects of the action on the quality of the human environment are only somewhat controversial among a small segment of the local population (Appendix D); however, the effects are well understood.

5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks [40 CFR 1508.27(b) (5)].*

My review of the EA Chapter 3 and supporting documentation indicates that the possible environmental effects of implementing the Selected Alternative are typical of this type of project. The possible effects on the human environment do not involve any highly uncertain, unique, or unknown risks. The effects on wildlife habitat and aquatic system components are disclosed in the EA (pp. 33-78) and are based on sound scientific research, as well as previous experience in the basin and on the Forest. The effects on public use are clearly disclosed in the EA (pp. 87-91 and 92-97).

6. *The degree to which the action may establish precedent for future actions with significant effects or represents a decision in principle about a future consideration [40 CFR 1508.27(b) (6)].*

My review of the EA and supporting documentation indicates that implementation of the Selected Alternative will not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. Additional road management options will likely be considered in the future; however, they will be evaluated again in a basin-wide context, and any decisions will be based on the results of analyses and public participation done at that time.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts [40 CFR 1508.27(b) (7)].*

Cumulative actions are described in detail in the EA (Appendix C), and cumulative impacts are discussed in each resource-specific section of the EA Chapter 3. No significant cumulative effects associated with implementation of the Selected Alternative are identified for any resource.

8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources [40 CFR 1508.27(b)(8)].*

My decision is in compliance with Section 106 of the National Historic Preservation Act (NHPA) under the terms of the *1997 Programmatic Agreement between the Advisory Council for Historic Preservation, the Washington State Historic Preservation Office, and the Forest Service* (see Heritage Resources Report). Cultural resources identified during the surveys for this undertaking were either found to be ineligible for the National Register of Historic Places (NHPA), or can be avoided by imposing a buffer to protect the resource. As a result, the qualities that may make them eligible will not be implemented by implementing the decision.

Mitigation measures in Appendix B also address any sites or objects discovered during project implementation. If a previously unidentified property is discovered during project implementation, the Forest will fulfill its consultation requirements including consultation with the State Historic Preservation Officer (SHPO) and any potentially affected Tribes.

The Forest Service Heritage Specialist has confirmed that the analysis in the EA (pp. 93-97) and the additional analysis of Alternative B, With Modifications (Appendix E), meet the requirements of the *Programmatic Agreement regarding cultural resources management on National Forests in the State of Washington among the USDA Forest Service Pacific Northwest Region (Region 6), the Advisory Council on Historic Preservation, and the Washington State Historic Preservation Officer* (Heritage Resources Project Review Form, 8/15/11). The Forest Service has determined that no districts, sites, highways, structures, or objects listed or eligible for listing in the NRHP will be affected, and the SHPO concurred with this determination (Letter from SHPO, 9/21/11). Therefore, my decision is compliant with Section 106 of the National Historic Preservation Act.

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973 [40 CFR 1508.27(b) (9)].*

In regard to plant species, no federally listed plant species are known to occur on the Forest, and none were identified in the project area during past surveys. Thus it is concluded that the Selected Alternative will have "No Effect" on federally listed plant species.

Consultation for federally listed fish species was conducted with the use of the *Programmatic Biological Assessment for Fish Habitat Restoration Activities Affecting ESA and MSA-listed Animal and Plant Species found in Oregon and Washington*, and conforms to the Biological

Opinions issued by National Marine Fisheries Service (P/NWR/2006/06530, P/NWR/2007/04278, P/NWR/2008/03505) and Fish and Wildlife Service (13420-2007-F-0055). The determination was "likely to adversely affect" listed fish species.

Consultation with the USFWS on the effects of the proposed project on threatened and endangered wildlife species occurred under the *Five-Year Programmatic Biological Assessment for Forest Management: MBS National Forest* (June 2002). In its Programmatic Biological Opinion, the USFWS granted incidental take of spotted owl and marbled murrelet due to harassment from noise generating projects (US Fish and Wildlife Service 2002b). The Opinion also included concurrence with determinations of effects to grizzly bear and gray wolf. The project is "Likely to Adversely Affect" marbled murrelet and spotted owl due to noise disturbance, and "Not Likely to Adversely Affect" grizzly bear, and gray wolf. The project will have "No Effect" on spotted owl and marbled murrelet Critical Habitat Units.

Conservation measures to reduce effects to listed species are included in Appendix B.

10. Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment [40 CFR 1508.27(b) (10)].

Based on my review of the EA and supporting specialist reports, implementation of the Selected Alternative will be consistent with all federal, State, and local laws imposed for the protection of the environment.

NATIONAL FOREST MANAGEMENT ACT CONSISTENCY

The National Forest Management Act (NFMA) and its regulations (36 CFR 219) established guidance for National Forest planning and management. As required by NFMA regulations, I find that this project will be consistent with the MBS Forest Plan, as amended. EA Chapter 3 and Appendix B of this DN contain the Forest Plan consistency analysis for each resource affected by the Selected Alternative.

It was determined this project would not affect the following terrestrial management indicator species or their habitat, as identified by NFMA: bald eagle, northern spotted owl, grizzly bear, gray wolf, peregrine falcon, mountain goat, pileated woodpecker, and primary cavity excavators. Therefore, the project will not contribute a negative trend in the viability of these species on the Mt. Baker-Snoqualmie National Forest.

It was determined the project might have a short term effect on habitat with expected beneficial long term effects for the following aquatic management indicator species: Chinook, coho, pink, and chum salmon, steelhead, sea-run cutthroat trout, rainbow trout, cutthroat trout, and bull trout. The project impacts to this fish habitat are insignificant at the scale of the Forest. This project will not contribute to the negative trend in viability of these species on the Mt. Baker-Snoqualmie National Forest.

In regard to the use of the best available science, I find that the EA and material in the Project Record document a thorough review of relevant scientific information, a consideration of

responsible opposing views, and the acknowledgement of incomplete or unavailable information, scientific uncertainty, and risk.

Findings Required by Other Laws and Regulations

I have reviewed each resource-specific section in EA Chapter 3 and determined that each addresses compliance with all applicable laws and regulations. Beyond that, a section titled "Other Environmental Components" in Chapter 3 of the EA confirms compliance with laws and regulations associated with the Aquatic Conservation Strategy; climate change; air quality; environmental justice; parklands, prime forestland, prime farmland, and prime rangeland; irreversible or irretrievable commitment of resources; and potential conflicts with plans or policies of other jurisdictions (pp. 107-112).

Administrative Appeal

This decision is subject to administrative appeal pursuant to 36 CFR Part 215, only by those individuals and organizations who provided comments during the 30-day comment period on the EA (36 CFR 215.13). The appeal must meet the requirements at 36 CFR 215.14.

The appeal must be filed with the Appeal Deciding Officer, who is the Regional Forester, Pacific Northwest Region. Appeals filed by regular mail or express delivery must be sent to:

> Appeal Deciding Officer, Attn: 1570 Appeals, 333 S.W. First Avenue, P.O. Box 3623, Portland Oregon, 97208-3623.

Appeals may be faxed to (503) 808-2339, sent electronically to appeals-pacificnorthwest-regional-office@fs.fed.us, or hand delivered to the above address between 7:45 AM and 4:30 pm, Monday through Friday, except legal holidays.

Appeals, including attachments, must be filed within 45 days after the publication date of this notice in the Everett *Herald*, the newspaper of record. The publication date in the newspaper of record is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframes provided by any other source.

Electronic appeals must be submitted in a Microsoft Word (.doc) format, rich text format (rtf), text (.txt), portable document format (.pdf), or as an e-mail message. E-mailed appeals must include the project name in the subject line. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

It is the responsibility of each appellant to ensure their appeal is received in a timely manner. For electronically mailed appeals, the sender should normally receive an automated electronic acknowledgement from the agency as confirmation of receipt. If the sender does not receive such an automated acknowledgement, it is the sender's responsibility to ensure timely receipt by other means.

PROJECT IMPLEMENTATION

Implementation of the Selected Alternative activities is expected to begin in the summer of 2012. Implementation cannot begin until the 15th business day after the disposition of any appeal, depending on the nature of that resolution. If no appeal is filed, implementation of the decision may begin on, but not before, the 5th business day after the close of the appeal period.

CONTACTS

For further information, contact Peter Forbes, Darrington District Ranger, (360) 436-1155; or Jesse Plumage, ID Team Leader, (425) 783-6031.

Peter K. Forbes

02/02/2012

PETER FORBES

Date

Darrington District Ranger
Mt. Baker-Snoqualmie National Forest